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6 Attorneys for Plaintiff
Linanne Marie Turner

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

10 LINANNE MARIE TURNER,
11 Plaintiff,
12 vs.
13 KILOLO KIJAKAZI,
14 Acting Commissioner of Social
Security,
15 Defendant.
16 } Case No.: 2:21-cv-02246-JDP
} STIPULATION AND PROPOSED
} ORDER FOR THE AWARD AND
} PAYMENT OF ATTORNEY FEES
} AND EXPENSES PURSUANT TO
} THE EQUAL ACCESS TO JUSTICE
} ACT, 28 U.S.C. § 2412(d)
}

TO THE HONORABLE JEREMY D. PETERSON, MAGISTRATE
JUDGE OF THE DISTRICT COURT:

IT IS HEREBY STIPULATED, by and between the parties through their undersigned counsel, subject to the approval of the Court, that Linanne Marie Turner be awarded attorney fees in the amount of one thousand two hundred dollars (\$1,200.00) under the Equal Access to Justice Act (EAJA), and costs in the amount of zero dollars (\$0.00) under 28 U.S.C. § 2412(d). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

1 After the Court issues an order for EAJA fees to Linanne Marie Turner, the
2 government will consider the matter of Linanne Marie Turner's assignment of
3 EAJA fees to Cyrus Safa. The retainer agreement containing the assignment is
4 attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010),
5 the ability to honor the assignment will depend on whether the fees are subject to
6 any offset allowed under the United States Department of the Treasury's Offset
7 Program. After the order for EAJA fees is entered, the government will determine
8 whether they are subject to any offset.

9 Fees shall be made payable to Linanne Marie Turner, but if the Department
10 of the Treasury determines that Linanne Marie Turner does not owe a federal debt,
11 then the government shall cause the payment of fees, expenses and costs to be
12 made directly to Law Offices of Lawrence D. Rohlfing, Inc., CPC, pursuant to the
13 assignment executed by Linanne Marie Turner.¹ Any payments made shall be
14 delivered to Cyrus Safa.

15 This stipulation constitutes a compromise settlement of Linanne Marie
16 Turner's request for EAJA attorney fees, and does not constitute an admission of
17 liability on the part of Defendant under the EAJA or otherwise. Payment of the
18 agreed amount shall constitute a complete release from, and bar to, any and all
19 claims that Linanne Marie Turner and/or Cyrus Safa including Law Offices of
20 Lawrence D. Rohlfing, Inc., CPC may have relating to EAJA attorney fees in
21 connection with this action.

22 This award is without prejudice to the rights of Cyrus Safa and/or the Law
23 Offices of Lawrence D. Rohlfing, Inc., CPC to seek Social Security Act attorney
24

25 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien
26 under federal law against the recovery of EAJA fees that survives the Treasury
Offset Program.

1 fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the
2 EAJA.

3 DATE: June 15, 2022 Respectfully submitted,
4
5
6 BY: Cyrus Safa
7 Attorney for plaintiff Linanne Marie Turner

DATED: June 15, 2022

PHILLIP A. TALBERT
United States Attorney
PETER K. THOMPSON
Acting Regional Chief Counsel, Region IX
Social Security Administration

ORDER

21 | Approved and so ordered.

23 | Dated: June 30, 2022

Jeremy D. Peterson
JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE